

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Petition of) Application No. NG-0047/
the Nebraska Public Advocate for) DR-0002
a Declaratory Ruling, seeking a)
determination that Kinder Mor-)
gan, Inc., n/k/a SourceGas Dis-)
tribution LLC, improperly imple-) PLANNING CONFERENCE ORDER
mented interim and final rates)
in Docket NG-0036 for which cus-)
tomers are entitled to a credit)
or refund.) Entered: September 13, 2007

BY THE HEARING OFFICER:

On May 15, 2007, the Nebraska Public Advocate filed an application seeking a determination that Kinder Morgan, Inc., n/k/a SourceGas Distribution LLC, improperly implemented interim and final rates in Application No. NG-0036 for which customers are entitled to a credit or refund. On June 18, 2007, SourceGas, LLC, f/k/a Kinder Morgan, Inc., filed a Response and Motion to Dismiss.

Subsequent to a planning conference, the Public Advocate filed a Withdrawal Without Prejudice of Petition for Declaratory Ruling (Withdrawal). On August 1, 2007, the Commission entered Assessment Order No. HS-001, assessing costs to SourceGas Distribution LLC (SourceGas) for the Public Advocate related to this docket in the amount of \$2,348.60. On August 20, 2007, SourceGas filed an objection to the assessment (Objection) pursuant to Neb. Rev. Stat. § 66-1844(1).

A planning conference was held on September 10, 2007, at which time the following schedule was established:

The Public Advocate shall file a response to the Objection no later than **5:00 p.m. on September 20, 2007.**

At this time, neither party believes that discovery will be necessary.

Hearing on this matter is set for **October 30, 2007, immediately following the hearing in Application No. FC-1327 scheduled to begin at 1:30 p.m.** in Commissioner Hearing Room, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

Parties will continue to engage in discussions regarding possible stipulations of fact prior to the hearing. Any stipulations shall be filed with the Commission no later than **5:00 p.m. on October 23, 2007.**

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O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer that the schedule set forth herein is adopted.

MADE AND ENTERED at Lincoln, Nebraska, this 13th day of September, 2007.

By: _____

Gerald L. Up
Hearing Officer